

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

D.L. et al.,

Case No. 1:22-cv-838

Plaintiff,

v.

HON. ROBERT J. JONKER

MICHIGAN DEPARTMENT OF
EDUCATION,

Defendant.

THIRD CASE MANAGEMENT ORDER

IT IS HEREBY ORDERED:

Motions or Stipulations to Join Parties or Amend Pleadings	BY MOTION
Rule 26(a)(1) Disclosures (including lay witnesses) Plaintiff: Defendant:	APRIL 30, 2023 APRIL 30, 2023
Disclose Name, Address, Area of Expertise and a short summary of expected testimony of Expert Witnesses (Rule 26(a)(2)(A)) Party with the Burden of Proof: Responding Party:	FEBRUARY 15, 2024 APRIL 15, 2024
Disclosure of Expert Reports (Rule 26(a)(2)(B)) Party with the Burden of Proof: Responding Party: Rebuttal Reports:	FEBRUARY 15, 2024 MAY 15, 2024 JUNE 15, 2024
Completion of Written Discovery	JUNE 21, 2024
Completion of Expert Depositions	NOVEMBER 2, 2024
Dispositive Motions	JANUARY 31, 2025
Interrogatories will be limited to: (Single Part Questions)	25 single part questions
Depositions will be limited to: (Fact Witnesses Per Party)	10 per party
Requests for Admission will be limited to: (Per Side)	10 per side

Settlement Conference	None at this time.
Mediation	By SEPTEMBER 4, 2024
Cross motions on deposition discovery issues articulated in paragraphs 4 and 5 of the parties' August 14, 2024 Joint Status Report (ECF No. 61):	
Opening Briefs Due:	AUGUST 29, 2024
Response Briefs Due:	SEPTEMBER 12, 2024

1. JOINDER OF PARTIES AND AMENDMENTS OF PLEADINGS: All motions or stipulations for joinder of parties and all stipulations to amend the pleadings must be filed by the date set forth in the table above to ensure amendment as a matter of consent under Rule 15(a)(2). Proposed amendments after the noted date are by leave of court.
2. DISCLOSURES AND EXCHANGES: Deadlines for exchange of Rule 26(a)(1) disclosures, names of lay witnesses, identification of experts, production of documents, and disclosure of expert reports under Rule 26(a)(2), if applicable, are ordered as set forth in the table above.
3. DISCOVERY: All discovery proceedings shall be completed no later than the date set forth in the table above, and shall not continue beyond this date. All interrogatories, requests for admissions, and other written discovery requests must be served no later than thirty days before the close of discovery. All depositions must be completed before the close of discovery. Interrogatories will be limited as set forth in the table above. Depositions will be limited as set forth in the table above. There shall be no deviations from this order without prior approval of the court upon good cause shown. Time limitations for depositions set forth in Rule 30(d)(1) apply to this case.
4. MOTIONS:
 - a. Non-dispositive motions shall be filed in accordance with W.D. Mich. LCivR 7.3. They may be referred to a magistrate judge in Grand Rapids, Michigan, pursuant to 28 U.S.C. § 636(b)(1)(A). In accordance with 28 U.S.C. § 471, et seq., it is the policy of this Court to prohibit the consideration of discovery motions unless accompanied by a certification that the moving party has made a reasonable and good faith effort to reach agreement with opposing counsel on the matters set forth in the motion.
 - b. Dispositive motions shall be filed in accordance with W.D. Mich. LCivR 7.2 by the date set forth in the table above. If dispositive motions are based on supporting documents such as depositions or answers to interrogatories, only those excerpts which are relevant to the motion shall be filed. The case manager will notify counsel of the date for oral argument.
5. ALTERNATIVE DISPUTE RESOLUTION: In the interest of facilitating prompt resolution of this case, and the parties having voluntarily selected facilitative mediation, this matter shall be submitted to facilitative mediation. The parties have fourteen (14) days from the date of this Order to jointly choose one mediator from the list of court certified mediators.¹ Plaintiff is responsible for e-filing notification of the name of the selected mediator. If the parties are unable to jointly

¹ www.miwd.uscourts.gov

select a mediator, they must notify the ADR Administrator², who will select a mediator for them. Once the mediator is selected, a Notice will issue regarding the method and schedule for the mediation conference.

Dated: August 19, 2024

/s/ Robert J. Jonker

ROBERT J. JONKER

UNITED STATES DISTRICT JUDGE

² ADR Administrator, U.S. District Court, 399 Federal Building, 110 Michigan St., NW, Grand Rapids, MI 49503; 616/456-2381; adr@miwd.uscourts.gov